

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, September 27, 2006

7:30 PM

Council Chambers, 8th Floor, City Hall

City Council

Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp,
Joseph H. Spencer, II, Rhet Tignor, Paige V. Washington,
Ross A. Kearney, II, Mayor

Staff:

Jesse T. Wallace Jr., City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, Clerk of Council
Brenda J. Vaccarelli, Deputy Clerk

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a five (5) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Angela Lee Leary

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items - First Reading

1. 06-0548 Resolution approving and appropriating donations made to the Hampton Division of Fire and Rescue during FY 05-06.
2. 06-0553 A Resolution Appropriating Funds for Uncompleted Capital Projects Funded with General Funds, Stormwater Funds and Economic Development Funds.
3. 06-0549 Resolution Accepting a Donation to Hampton Clean City Commission's 'Keep Hampton Green Fund.'

Consent Items - Other

4. 06-0526 Sole source request authorizing the Commonwealth's Attorney to contract professional services from Donald W. David, M.D., of Expert Digital Solutions, Inc.
5. 06-0538 Approval of Council Meeting Schedule for November and December, 2006 and for 2007.
6. 06-0542 Approval of a Vacation Agreement Between the City of Hampton, Virginia and Sandler at Coliseum Central, L.L.C.
7. 06-0550 License Agreement between the City of Hampton, Sentara Hospitals d/b/a Sentara Careplex Hospitals and OPACC I, LLC.
8. 06-0551 Contract agreement between the City of Hampton and the Hampton Redevelopment & Housing Authority
9. 06-0552 Contract agreement between the City of Hampton and the Phoebus Improvement League.
10. 06-0554 Resolution designating ADT Security Services Inc. as the only source practically available for maintenance, monitoring, and inspection of the burglar system provided by ADT at the Charles H. Taylor Arts Center.

11. 06-0555 Approval of minutes from afternoon and evening session of Council on Wednesday, September 13, 2006.
12. 06-0543 Resolution to Authorize the Execution of a Declaration of Restriction Covenants Over a Portion of Newmarket Creek at Air Power Park to Protect and Preserve a Wetlands Mitigation Site
13. 06-0559 Resolution Adopting the Proposed Peninsula Multi-Jurisdictional Natural Hazards Mitigation Plan as it applies to the City of Hampton.

PRESENTATIONS, PROCLAMATIONS, AWARDS

14. 06-0476 In Recognition of James "Rudy" Carter
15. 06-0481 Proclaiming October 14, 2006 as Tuskegee Airmen Day in the City of Hampton in Recognition of the Tidewater Chapter of Tuskegee Airmen, Inc. Legacy Airmen.
16. 06-0485 Proclaiming October 12, 2006 as Lights on Afterschool! Day.
17. 06-0534 Proclamation Proclaiming September 2006 as Alcohol and Drug Addiction Recovery Month.
18. 06-0536 Fire Prevention Week Proclamation for 2006
19. 06-0539 Joint Proclamation Proclaiming October 18, 2006 as Senior Awareness Day on the the Virginia Peninsula.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

20. 06-0537 Request to Address Council on the Topic of City Decals.
21. 06-0541 Annual Report of the Neighborhood Commission
22. 06-0558 Presentation on options for addressing Newmarket Creek flooding concerns

PUBLIC HEARINGS

Rezoning - Second Reading

- 23. 06-0511 Rezoning Application No.1232 by Renee Riley and Nell Denby to rezone 4.6+/- acres roughly bounded by South 1st Street to the north, Seaboard Avenue to the east, Bay Shore Lane to the south, and Atlantic Avenue to the west from Multiple Residence (R-M) District and One-Family Residence (R-13) District to Multiple Dwelling (MD-2) District for multi-family residences.
- 24. 06-0510 Rezoning Application No. 1233 by the City of Hampton to rezone ten parcels totaling 3.6+/- acres within the Park Place neighborhood from Light Manufacturing District (M-2) to One-Family Residence District (R-9).
- 25. 06-0509 Rezoning Application No.1223 by Platinum Homes, Corp. to rezone approximately 5 parcels totalling 2.81+/- acres at 701 Aberdeen Road from Neighborhood Commercial (C-1) District and Limited Commercial (C-2) District to Limited Commercial (C-2) District with conditions.
- 26. 06-0505 Rezoning Application No.1224-C by the City of Hampton to rezone 15.92+/- acres (Part 1) in Buckroe from Multiple Residence (R-M) District to One Family Residence (R-9) District and 5.92+/- acres (Part 2) from R-M to Multiple Dwelling (MD-4) District.

Resolutions - First Reading

- 27. 06-0546 Resolution Authorizing the Donation of Approximately 3.0395 Acres of Real Property at 8110 Orcutt Avenue to the Hampton Roads Chapter of the American National Red Cross and the Execution and Delivery of the Development Agreement between the City and the American National Red Cross.
- 28. 06-0547 Resolution Authorizing the Transfer of 3.7 Acres of Real Property at Armistead Pointe to the Industrial Development Authority, and the Execution of the Development Agreement, Ground Lease, Cooperation Agreement and Use Agreement for the Boo Williams Amateur Sports Facility on Armistead Pointe.
- 29. 06-0544 Resolution to Authorize the Execution of a Temporary Easement Agreement Granting Two Temporary Easements to Sandler at Coliseum Central, LLC on a portion of Newmarket Creek at Air Power Park
- 30. 06-0528 Proposed VDOT Transportation Enhancement Project - Newmarket Creek Park and Trail/Pine Chapel Road Segment, Engineering Services #07-029.

31. 06-0540 Public Hearing to review Community Development Block Grant (CDBG) and HOME Program performance and to obtain the views of citizens on housing and community development needs in the City of Hampton

GENERAL ITEMS

Ordinances

32. 06-0495 Ordinance to Amend the Code of the City of Hampton, Chapter 37, Article II, Division 6, entitled "EXEMPTION OR DEFERRAL FOR ELDERLY AND DISABLED PERSONS" by Amending and Re-enacting Section 37-123. Amount of Exemption.

Appointments

33. 06-0484 consider an appointment to the Social Services Local Advisory Board.
34. 06-0531 consider appointments to the Neighborhood Commission.
35. 06-0535 consider an appointment to Hampton Parks and Recreation Advisory Board

AUDIENCES GRANTED TO THE GENERAL PUBLIC

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov